

APPEAL NO. 022218
FILED OCTOBER 16, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 29, 2002. The hearing officer determined that the appellant (claimant) sustained a compensable injury on _____; that the compensable injury did not extend to or include a closed head injury; and that the claimant had disability from February 8 to February 12, 2001. In his appeal, the claimant argues that the hearing officer erred in "not listing all of the body parts" included in the compensable injury. The claimant also argues that the hearing officer erred in resolving the disability issue because he "made no mention of disability beyond February 12, 2001." In its response, the respondent (carrier) urges affirmance. The claimant did not appeal the determination that the injury does not include a closed head injury.

DECISION

Affirmed.

The hearing officer did not err in not listing the body parts included in the claimant's compensable injury. As noted above, the only extent issue before the hearing officer was whether the compensable injury included a closed head injury. The hearing officer resolved that issue and his resolution of that issue was not appealed. The other injury issue before the hearing officer was a general issue of whether the claimant sustained a compensable injury on _____. In response to that issue, the hearing officer properly made a general finding of injury. He did not err in failing to delineate the body parts that were included in the compensable injury as that question was not before him.

We find no merit in the assertion that the hearing officer failed to address the disability after February 12, 2001. Indeed, the hearing officer considered that issue and determined that the claimant did not sustain his burden of proving that he had disability after February 12, 2001. We point the claimant to the portion of the hearing officer's decision which states "Claimant proved disability from February 8, 2001 through February 12, 2001, but not thereafter." To the extent that the claimant's appeal can be construed as a sufficiency challenge to the hearing officer's disability determination, we note that the hearing officer was not persuaded that the claimant sustained his burden of proving that he had disability after February 12, 2001, based upon the fact that the claimant returned to work for nearly three months after his injury and stopped working for the employer when the job in Texas ended and the employer moved its operations back to Missouri. The evidence sufficiently supports the hearing officer's determination that the claimant did not have disability after February 12, 2001, and nothing in our review of the record reveals that the hearing officer's disability determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. As such, no sound basis exists for us to reverse that determination on appeal. Cain v.

Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **EMPLOYERS INSURANCE OF WAUSAU, A MUTUAL COMPANY** and the name and address of its registered agent for service of process is

**RICK KNIGHT
105 DECKER COURT, SUITE 600
IRVING, TEXAS 75062.**

Elaine M. Chaney
Appeals Judge

Judy L. S. Barnes
Appeals Judge
CONCUR:

Margaret L. Turner
Appeals Judge